

APN Starfirst, L.P

ATTACHMENT C

**Reciprocity Requirements:**

This section requires that ARES applicants meet three conditions: (1) the applicant, its corporate affiliates or the applicant's principal source of electricity (to the extent such source is known at the time of the application) owns or controls facilities, for public use, for the transmission or distribution of electricity to end-users within a defined geographic area to which electric power and energy can be physically and economically delivered by the electric utility or utilities in whose service area or areas the proposed service will be offered:

Regarding the first condition, neither APN Starfirst, L.P. nor its corporate affiliates owns or controls facilities, for public use, for the transmission or distribution of electricity to end-users within a defined geographic area to which electric and energy can be physically and economically delivered by the electric utility or utilities in whose service area or areas the proposed service will be offered. Instead, APN Starfirst, L.P. relies on the principal source of electricity provisions of Section 16-115(d)(5) of the Act. APN Starfirst, L.P. plans to meet the reciprocity requirement by using MISO as its principal source of electricity which controls transmission for public use and provides delivery services to Illinois electric utilities. APN Starfirst, L.P. intends to use MISO for at least 65% of its Illinois based electric load for its principal source of energy which should satisfy condition one of the reciprocity requirements of the Act which shall mean a single source that supplies at least 65% of the applicant's electric power and energy and the purchase of transmission and distribution services pursuant to a filed tariff under the jurisdiction of the Federal Energy Regulatory Commission or a state public utility commission shall not constitute control of access to the provider's transmission and distribution facilities (220 ILCS 5/16-115(d)(5)).

Regarding the second condition of the Act, MISO's delivery services are reasonable compared to those offered by Illinois electric utilities. Additionally, Illinois utilities have the opportunity to participate in MISO's electricity territory. As stated in condition one, APN Starfirst, L.P. intends to use at least 65% of its Illinois electric load from the MISO territory thus hindering the Applicant from taking unreasonable advantage. At the time of this application APN Starfirst, L.P. has not yet entered into a power agreement to supply its future customers in Illinois but satisfies the reciprocity requirement since the principal source of electricity for AmerenIP would be MISO.

Finally, APN Starfirst, L.P. certifies that it complies with Section 16-115(d)(5) of the Act and that it will remain in compliance with such requirements and will annually certify such compliance to the Commission in January of each year after its certification.